

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**HUNTINGTON DIVISION**

CODY ALLEN VILLALOBOS,

Plaintiff,

v.

CIVIL ACTION NO. 3:18-1385

WESTERN REGIONAL JAIL, et al.,

Defendants.

**MEMORANDUM OPINION AND ORDER**

This action was referred to the Honorable Omar J. Aboulhosn, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the Court grant PrimeCare's Motion to Dismiss Complaint and Alternative Motion for Summary Judgment (ECF No. 11), dismiss Plaintiff's claim against the Western Regional Jail, and remove this matter from the Court's docket. Neither party has filed objections to the Magistrate Judge's findings and recommendations.

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and **GRANTS** PrimeCare's Motion to Dismiss Complaint and Alternative Motion for Summary Judgment (ECF No. 11), **DISMISSES** Plaintiff's claim against the Western Regional Jail, and **REMOVES** this matter from the Court's docket, consistent with the findings and recommendations.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: June 21, 2019

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', written over a horizontal line.

ROBERT C. CHAMBERS  
UNITED STATES DISTRICT JUDGE